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MYS PALACE DABER

18(2)

IN THE HIGH COURT OF MYSORE AT BANGALORE

CONTEMPT CASE NO.1 of 1953.

Applicant

Accused

Government of Mysore Vs. K.Subbiah Reddy.

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The accused beg to file the following
statement by way of affidavit:-

1. I, K. Subbiah Reddy, A.22 in the above
case beg to state on oath as follows:-

1. That I have been called upon by this
Hon'ble Court to answer the charge framed
against me under Section 3 of Contempts of Courts
Act.

2. On 6-11-1952 early in the morning while
I was in my house All in the above case
Abdul Karim Saheb came to my house and told me
that I should follow them to Bangalore to see
the Minister. I thought that Sivanna, Abdul
Karim Sab, Ramakrishniah, all these people are
going to Bangalore to see the Minister to fix
up the date for performing the Opening Ceremony
of the Maternity Home sanctioned previously to
Ramanagaram.

3. Along with the above said persons I got into
the Bus at Ramanagaram. On the way to Bangalore I

asked my brother who was also sitting in the Bus, the reason for going to Bangalore. He also told me that he was asked by Abdulk Karim Sah to follow them to Bangalore to see the Minister. The other people who also followed us did not tell me the reasons for going to Bangalore though I requested them several times. After we alighted in Bangalore we all went straight to the house of Sri V. Nanjappa in Cubbonpet. After some time the rest of the accused came there.

4. I asked A5 who was also present then the reason for his coming over to Bangalore. Then he told me that he was asked by Shivanna to be present there. Afterwards I asked A15 Hannume Gowda and one Chennahalli Chennamare Gowda the reasons why all these people have come to Bangalore. Then A.15 told me that they have come to see the Minister in connection with the transfer of the learned Special First Class Magistrate at Ramanagaram.

5. I asked them the reasons why they want the transfer of the said Magistrate, for which they all said particularly A.15 said that on account of him i.e. the learned Special First Class Magistrate, that corruption and good number of murders are taking place in the Taluk. Further he said that these things are happening on account of the personal interest that the Magistrate is evincing in asking the counsels to go to his house and informing them the method of conducting the cases.

6. Then myself and A.12 in the above case both protested for the same and further we said that the reasons and the allegations made are all beyond truth. Further I said that neither I am aware of these allegations nor I have heard anybody making these allegations against the learned Magistrate.

7. Immediately I had a talk with A.11 whom I consider the Yajaman and requested him not to indulge himself in such matters when these allegations are beyond truth. Further I requested him that he should not do these things in view of the fact that his son's case is pending before the learned Magistrate. Then A.11 became angry and I shouted as follows "నీవ్వింశతము కౌల్య దాహిని చూడకు" and looked down on me. Then A.15 Hanume Gowda told as follows: "గారు మాకు బోడి పెండ్లివ బాగున్నారని చెప్పారు." After I heard all these I wanted to go out of that company but I could not do so as A.11 had kept a watch on me.

8. Then I was asked to prepare the draft which I frankly refused to do. Even A.12 also refused to prepare the draft. Immediately A.11 placed order for Tea. Then I went out saying that I would go to the Hotel and send the Tea. I came to Iyer's Hotel with A.11's son Jabbar. Jabbar placed order for Tea and met the Bill.

9. After I returned back with Jabbar to A.1's house all the people who had assembled there in that house started on Jutkas to go to Secretariat to see the Minister. I was also asked by them to follow them. We all went near the Chambers of Sri A.G. Ramachandra Rao, Hon'ble Minister for Law, where I was asked by A.14 to sign the petition. I refused to do so. Then A.11 and A.14 told me as follows: "కలెక్షనరు వ కలెక్ష వనూమాడిల్ల నా పుక్కుముక్కుద బాగాళ్ళ నీవు పుక్కుముక్కుదోళ్ళు."

Further I told them that as the petition has been typed in English that he would sign it only after the contents are read over to him. All became angry and particularly A.14 told me "ఏను కలెక్షనరు వంకరచినట్లు నీవునేరుకుచావు"

10. For the reasons mentioned above and for ^{their} forir compulsion and pressure I was forced to sign the petition unwillingly and hesitatingly at the Chamber of the Hon'ble Minister for Law, as otherwise I would not have signed such allegation against the Magistrate.

11. Further I humbly submit that my signing the petition was unintentional one and the contents of the petition are all beyond truth. Further I submit neither myself nor any one of my relatives have got any case in that court and therefore I have no reason nor any intention to show any disrespect or disregard towards that Court and to the Judge presiding over that Court.

12. I have explained the peculiar circumstances under which I was forced to sign the petition. I have committed a very great mistake in my life which I am repenting for the same. I have got great respect towards the Courts and Presiding Officers. I always bow my head to the justice given in our Courts. Further I submit that this will be the first and the last mistake in my life-time. I am hereby tendering unconditional and an unqualified apology to this Hon'ble Court for the mistake I have committed.

Wherefore I pray that this Hon'ble Court may be pleased to accept my apology and pardon me.

Bangalore,
12-3-1953.

Sd/- K. Subbaiah Reddi,
Accused 22.

Sworn to before me.

Identified by me. Sd/- B. Thimmapparaj Urs,
First Magistrate,
Bangalore,
12-3-53.
Sd/- S. Mahadevappa,
Lawyer.

3. I apprehended some danger from these people and as such I had to sign the petition hesitatingly and unwillingly. The contents of the petition are all beyond truth. Further I humbly submit that my signing the petition was unintentional one and one to which I have signed not with any intention to show any disrespect or disregard either towards that Court or to the Judge presiding over that Court. I have explained the peculiar circumstances I was forced to sign. I have committed a very great mistake for which I am repenting.

4. I have got great respect towards the courts and presiding officers. I always bow my head to the justice given in our courts. Further I submit that this will be the first and the last mistake in my life time.

5. I am hereby tendering unconditional and unqualified apology to this Hon'ble Court for the mistake I have committed.

Therefore I pray that this Hon'ble Court be pleased to accept the apology and pardon me.

Sd. V. Bhadriah,

Accused 5.

Sworn to before me.

Bangalore, 12.3.1953. Sd. B. Thimmapparaja Urs,

Identified by me First Magistrate,
Bangalore.

S. Mahadevappa,

Lawyer

Counsel.

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IN THE HIGH COURT OF MYSORE AT BANGALORE.

Contempt Case No.1/53.

APPLICANT

ACCUSED

Government of
Mysore.

-VS-

5 Bhadriah.

The accused No.5 begs to file the following statement by way of affidavit:

I, Bhadriah A5 in the above beg to state on oath as follows:

1. That I have been called upon by this Hon'ble Court to answer the charge framed against me under Section 3 of Contempts of Courts Act.

2. On 6-11-1952 I had come to Ramanagaram to go to Bangalore in connection with some work in Sub Court Bangalore. Then a-14 in the above case met me near the Bus stand and told me that I was wanted by Nanjappa A1 in the above case and further told me (and further told me) that I could see him in his house at Cubbonpet. After I completed my work in Sub Court, Bangalore, I went to A.1's house where I saw the rest of the accused in the above case. By that time a typed petition was brought and I was asked to sign it. Then I asked them the contents of the petition. A.11 and A.14 said that nothing had been written in the petition except the fact that they have alleged some allegations in the petition for the transfer of the learned Magistrate at Ramanagaram.

2. I refused to sign the petition when A1 told me that in case if I do not sign the petition that he would see that I would fail in "the case relating to Anjanapur Temple and further told me that I would have to face so ~~many~~ many other difficulties.

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FILED IN COURT.

IN THE HIGH COURT OF MYSORE AT BANGALORE.

CONTEMPT OF COURT CASE No.1 of 1953

Applicant: STATE OF MYSORE

Vs.

Accused: 17th T.Chikke Gowda.

I, T. Chikke Gowda, Accused No.17, above named most respectfully beg to state as follows:-

1. I am a native of Thimmasandra which is at a distance of about 8 miles from Ramanagaram Town. *I am a student.*
I had appeared for the Intermediate Examination held in the month of September 1952 and was anxiously awaiting the result.

2. After the examination I went to my native place and was living there with my parents. As I learnt that the results would be announced on or about the 7th November 1952, I came to Bangalore on the 6th. I was going to the Intermediate College building in order to ascertain when the results would be announced. On my way Sri K. S. Reddy, Accused No.22, met me near Sree Anjaneyaswamy Temple near the Bank of Mysore Ltd., and asked me to put in my signature to a petition which he had in his hand. I asked him what the matter was. He said that the petition was in connection with the construction of a Maternity Hospital at Ramanagaram, that many had signed the petition and asked me to affix my signature thereto. At that time I had no opportunity or time to go through the contents of the petition. As he was well known to me and my family, I trusted his word and put in my signature to the petition. I came to know the contents of the petition only during the

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the course of the enquiry held by the Hon'ble Justice Sri N. Balakrishnaiya.

2. I am not personally aware of any of the allegations contained in the petition. I am only a student. I do not know who the Magistrate is. I have never visited his court at any time till now. Neither I nor any member of my family had ever had any case in the Magistrate's Court. If the contents of the petition had been made known to me, I assure this Hon'ble Court that I would not have affixed my signature to it.

3. My signature to the petition was obtained on a false representation made by the afore-said Sri K.S.Reddy accused 22. I express my very deep and sincere regret for having blindly put in my signature to the petition and I hereby tender my unqualified apology for what has been done. I am entirely innocent. I am a law abiding person. I have very great respect for Courts of law.

4. I respectfully pray that this Hon'ble Court be pleased to accept my unqualified apology and discharge me.

Sd/- T.Chikkegowda.

Accused 17.

Bangalore
D/12-3-1953.

Sd/- D. Shama Rao,
Advocate for Accused 17
12-3-53.

8.13

Contempt of Court Case No.1/1953.

Vs.

Accused:

V. Nanjappa and
21. others.

I, B.Byrappa, son of Byregowda, accused No.18

1. I am called upon by the Hon'ble High Court of Mysore to answer a charge of Contempt against the Special I Class Magistrate's Court, Ramanagaram, in the above case.
2. I know the 1st accused Sri V.Nanjappa, Vice President Sri Chikkanarasimhaiah Reddy, Sri B.Shivanna and Janab Kareem Sahab from a long time. Of late, these persons took a leading part in the recent elections to The Mysore Legislative Assembly from Ramanagaram Taluk. Though I had no personal knowledge about the private affairs of these persons, I was being told by the villagers that they were influential and leading members at Ramanagaram Town and that Sri Nanjappa was the brother of the Hon'ble Chief Minister.
3. I am an agriculturist living 8 miles away from Ramanagaram Town in a village known as Melehally in Kutagal Hobli, Ramanagaram Taluk. I only come to Ramanagaram Town once in a month or so whenever I will have to make any purchases for my family requirements. I have absolutely no knowledge of the affairs of either Sri V.Nanjappa or the others in Ramanagaram Town regarding their cases in the Special I Class Magistrate's Court at Ramanagaram.
4. I have no case in the Special I Class Magis-

Magistrate's Court at Ramanagaram either by me or against me or by or against my relatives or friends. After the present Magistrate Sri Hanumanthe Gowda took charge of the said Court, I had no occasion to go to the said Court either as complainant or accused. In fact, I did not know till very recently who the Officer, that was presiding over the said Court.

5. On the date when the aforesaid 4 persons mentioned in para 2 of this affidavit took my signature to a petition which was already signed by a number of persons of this Taluk, I was going hurriedly from District Court buildings, Bangalore, towards the Railway Station to catch the train at about 5-30 p.m. On my way at the front of the Bangalore District Court Compound the above 4 persons stopped me and told me to affix a signature to a petition. When I asked what the petition was they stated that it related to the transfer of an Officer at Ramanagaram and allowed me no time to look into the contents of the petition as they stated that they have got to meet the Hon'ble Chief Minister in about 5 minutes as otherwise, the Chief Minister will go away to Delhi by air.

6. Without any knowledge of their personal affairs at Ramanagaram Town and believing that they were responsible men, I had to put my signature on account of their pressure and undue influence. Besides, I was ~~hastened~~ also in a hurry to catch the train.

7. I have absolutely no disrespect or disregard either against the Court of the Special I Class

3.

Magistrate, Ramanagaram, or the Officer, presiding over it. I bow to the said Court and the Officer presiding over it with respect and obedience.

8. I am not at all aware of the contents of the petition to which they took my signature. I am not aware of any of the allegations made therein either against the above said Court or Sri Hanumanthe Gowda, who presides over it.

I committed a great blunder in signing the petition on account of the pressure exerted over me by the abovesaid persons. I am sorry for having done so and repent for the same.

I hereby apologise unconditionally and pray that this apology may kindly be accepted and I may be exonerated.

Sd. B.Byrappa

Accused No.18.

Identified by me.

Sd. G.Dayananda,
Advocate.

Bangalore,
12th March, 1953.

Sworn to before me

Sd/- B.Thimmapparaj Urs,
First Magistrate,
Bangalore, 12.3.53.

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I hope you have reached Delhi safely and that you have seen the Prime Minister. ^{my} it is fervent hope that [^] all those matters discussed between ourselves will be brought to the notice of the Prime Minister.

Yesterday an unpleasant incident happened here.

The Chief Minister wanted to see me. 7-0 P.M. was the time fixed. I came back from Tennis at 6-55 P.M. and went to slip on a sweater and came down to see the Chief Minister. At 7-0 P.M. the Chief Minister had not arrived. So, I told the Private Secretary to let me know as soon as he came. He arrived at 7-5. P.M. and by the time I went down after hearing he had arrived, he had left the place telling Darashah that he had to go back to have dinner at 7-15 P.M. So that was that. Late on the same evening I received a letter from him (copy enclosed) which speaks for itself, as making an allegation that I did behave thus to insult him. Also find (enclosed) my reply to him.

Really he did not
relish the fact that
I wasn't waiting for
him.

That also speaks for itself.

A time has now come when I have to say that the Government of India must uphold my honour and prestige and position. I should be relieved of ~~these burdens~~ this. Burdens me nuisance of being a Rajpramukh.

I do feel very strongly about this. It is becoming

perfectly ~~intolerable~~ intolerable. I cannot also help making very derogatory remarks about the conduct of Private Secretary Darashah. He ~~XXX~~ is behaving as a stooge of the Chief Minister, notwithstanding the fact that as Private Secretary his first duty is to me. This is but one more instance to show you how the Chief Minister is trying to () all officers () those

I have put this to you to show how incidents are manufactured by Mr. K. Hanumanthaiya. He wanted me to come here and tour, promising to fix up programme. Instead this is what happens. All the blame is mine. I daresay because, I have the misfortune of being a Rajpramukh.

There are limits to which anything can go. Here, all limits have been exceeded and no one can blame but Mr. K. Hanumanthaiya for the unpleasantness of his own creation.

All these facts I have plainly put before you.

With kind regards,

Rubber stamp of the Office of
the Minister for Law & Education.

No. T. 3081

Date

Law Secretary)

Put up

- (1) the Confidential
service file
(2) ~~Take steps to~~
~~examine the~~
~~allegations,~~
~~transfer him.~~
& (2) Call for a report
from the High
Court and mean-
while, recommend
for his transfer.
Law Secretary
will meet me.

Id. A.G.R.
6-1-52

A D.O. letter with
a copy of this
petition may be
sent to the Chief
Justice for due
notice and needful
action.

Id. A.G.R.
11-11-52.

To

The Honourable Minister for Law
and Education,
Government of Mysore,
Bangalore.

From

The undersigned Residents
of the several places situated
in Ramanagaram Taluk,
(Bangalore District).

Respected Sir,

We, the abovenamed persons, most
humbly beg to submit the following Representation
of ours for your kind consideration and immediate
steps being taken hereon :-

It has been about 1½ years since Sri
Hanumanthe Gowda came to our place and occupied
the Seat as First Class Magistrate, Ramanagaram,
and it has been our most sad misfortune to see
that, ever since he came to our place, he has
been personally instrumental to all sorts of
grievances and troubles to us all of the Taluk
concerned. It is, therefore, essential,
expedient and necessary that he be first of all
transferred from our Taluk, and then institute
proceedings against him for his illegal and
unlawful doings and activities which he has been
doing here as per Law and Procedure adoptable
in this behalf, so that our Country may be
permanently free from further miseries at his
hands.

The principal points of our grievances are :-

(1) He invites the Parties connected with the Cases pending in his Court, for consultations and Advice to be imparted to them in the Proceedings of their Cases, which, it need not be stated, is certainly contrary to Law and Procedure and all the Tenets of Legal Proceedings. This deserves your Honour's especial consideration for drastic action being taken thereon.

(2) This Magistrate will invariably accompanying the Lawyers to the Court Hall at the time of his Entry thereinto to begin the day's proceedings. This is also against Law.

(3) He appears to have intimate connection with Lawyers for reasons best known to himself. This is certainly woeful to the interests of Law.

To describe these activities of the said Magistrate in greater detail, we wish to submit that he will be inviting the Agents of the Parties whose Cases are pending in his Courts, and in some instances the Parties themselves, at dead of night, say at and after 12 Midnight, to his own house or residence, wherein he will be imparting needful instructions to them as to how they should conduct themselves during the Proceedings of their Criminal Cases on their respective Hearing Dates, giving them an idea of the Questions which will be asked by the Court on the Hearing Dates and how they have to meet and answer such questions during Examination and Cross-examination, and also by giving them necessary other relevant informations advising them to do such and such acts and things at such and such stages of their Cases, thereby giving them all sorts of undue encouragements and instigations. He interests himself in a Party, and will be inviting such Parties' Advocate or Counsel or Counsels

to his house to impart needful instructions to him or them to conduct their Cases successfully, thereby this Magistrate himself being an encourager of all sorts of activities.

Again, it has been the most unfortunate time for time-honoured law-abiding and peace-loving Citizens who have never seen the Portals of Law Courts in their lifetime, to be dragged to Courts during the regime of this Magistrate on some pretext or the other, and this is being manouvred through the help of interested rowdy parties who are advised to foist false cases against such innocent victims. This has been the case not only with innocent gentlemen of male sex, but with regard to the innocent ladies also who shudder at the mention of Law Courts and who have never been to such Court Premises under any circumstances during their lifetimes. By this, these innocent persons are feeling that it will be better to die rather than to be dragged to Criminal Courts and face an unrighteous ordeal therein.

Kind Sir, we need not say that the Judges and Magistrates, who are vested with high powers to safeguard the interests of Justice and to help the cause of the righteous and innocent, are themselves now (in this instance) taking sides with dangerous criminal parties and jeopardizing the ends of Justice in the State. Somehow or the other, the entire Taluk is echoing that we should all pay liberal monies to this Magistrate in order to appease him and help our cause.

It is, therefore, humbly prayed that this Magistrate, Sri Hanumanthe Gowda, at Ramanagaram, Bangalore District, be immediately transferred from

Ramanagaram

Ramanagaram, before it may become too late to mend the already bad state of affairs, and that proper steps be taken against his present doings and he be proceeded according to Law and Discipline of the Judicial Department and the Rules in force in the State on all such matters.

Yours faithfully,

Dated 6-11-52 :

Sd/- Patel Thibbegowda (Kannada)
 " Yousuffali Khan (")
 " Syed Ibrahim "
 " Bhadriah "
 " M.G. Chikkathimmiah "
 " Lingegowda "
 " K.N. Singegowda (English)
 " B.A. Ramakrishniah "
 " Channabasavegowda (Kannada)
 " Abdul Kareem (Urdu)
 " K. Chikkanarasimhiah (Kannada)
 " Syed Hashim^{Reddi} (Urdu)
 " B. Shivanna (English)
 " Hanumegowda (Kannada)
 " Chikkabhadregowda "
 " T. Chikkegowda (English)
 " Byrappa "
 " K.R. Ramaiya (Kannada)
 ** L.T.M. of Thimmiah
 Sd/- M. Shiviah (English)
 " K.S. Reddi (")
